

(1) To mark conspicuously their account numbers (if any) or other appropriate identifying data on all correspondence and payments, including checks, sent by customers to the seller;

(2) That, upon request for clarification of an account, any customer may receive a statement of accounts, showing each purchase, payment or credit itemized for the current or all pertinent, preceding months;

(3) That, where the seller can apply payments to specific items under its billing procedures, to indicate or identify to the seller or payee the item or items to which any payment is to be applied.

(b) The publisher or seller of industry products should:

(1) When receiving communications showing account numbers, have the responsibility of applying all correspondence and payments to the correct account, and where there is any question, notify the customer before entering the pertinent data into the computer system;

(2) Provide a statement of accounts when requested by the customer;

(3) Where seller can apply payments to specific items under its billing procedures, apply payments or credits as designated by the buyer or payor.

(c) The seller of industry products, in oral or written communications with the buyer, should not use fictitious names, but should use names of live persons who are actively participating in the business.

(d) Billing statements to purchasers of industry products should show:

(1) Date and customer's account number, if any;

(2) Invoice numbers or, where items are listed, a clear and readable description of each item or unit. If abbreviations are used which are not readily understandable, the statement should have thereon or attached thereto a clear interpretation of said abbreviations (e.g., a table);

(3) A price for each item, or invoice totals, or the total of invoice totals;

(4) Penalty, interest, or carrying charges, if any, clearly and separately identified;

(5) Purchases sent on approval, if any, clearly and separately identified.

(e) All industry product invoices should:

(1) Be dated, numbered or adequately identified, and should show customer's account number, if any;

(2) Show a clear and readable description of each item or unit. If abbreviations are used which are not readily understandable, the invoice should have thereon or attached thereto a clear interpretation of said abbreviations;

(3) Show a price for each item, and clearly state terms of sale and amount of discount, if any;

(4) Clearly show the time period for approval orders, by showing specific opening and termination dates.

NOTE: This section is meant to suggest some basic information that should be provided for the billing process although the seller may prefer to use some other system or method which furnishes essentially the same information as provided by this section. Further, this section does not relieve an industry member of his responsibilities to comply with the Fair Credit Billing Act, 15 U.S.C. 1601, and law book sellers should note with particularity section 161 of that Act dealing with "Correction of Billing Errors".

[Guide 15]

§ 256.16 Added materials—germane subject matter.

The adding of volumes or other materials, the overall content of which is not substantially germane to the subject matter of the basic work, constitutes an unfair trade practice. [Guide 16]

§ 256.17 Misrepresentations (general).

An industry product should not be advertised, published or otherwise represented in any manner which may have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers concerning the grade, quality, material, size, contents, authorship, editorship, use, value, price, origin, preparation, manufacture or date of publication or copyright of any industry product or of any supplementation thereto, or the current or up-to-date character thereof, or concerning any service offered in connection therewith, or in any other material respect. [Guide 17]